



UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: L. Edwards

Art Unit: 1734

In re:

Applicant(s): STOERHMANN

Serial No.: 09/337,947

Filed: June 22, 1999

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OFFICE OF PETITIONS

MAIL STOP DAC

PETITION TO REVIVE

January 2, 2006

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

I hereby certify that this correspondence is being
deposited with the United States Postal Service
as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.
On 1/4/06

Applicant herewith petitions to revive the subject application.

Applicant further states that the entire delay from the due date for reply to
the date of filing of a grantable petition was unintentional.

Applicant further states that it was never the intention of the applicant to
abandon the subject application.

It is understood that this application became abandoned some time ago
and that it is appropriate to explain the reasons for abandonment where the
abandonment has taken place more than one year ago.

In this respect, applicant herewith states the following:

In the subject application an election requirement was made. Applicant eventually did make an election. Applicant was informed of the possibility of eventually filing a divisional application for the non-elected invention.

On January 4, 2001, applicant's German counsel wrote a letter to applicant's US counsel, of which a copy is attached together with a translation.

This letter was read by the undersigned, Michael J. Striker. The undersigned is generally familiar with the German language.

However, in this case, the undersigned mistakenly read the letter to indicate an abandonment of the complete application. The misunderstood word was the word "verfahrensansprüche." The undersigned mistakenly took this word to mean "pending claims," when in fact the word means "method claims."

Based upon the inadvertent misreading of the letter of January 4, 2001, counsel for the applicant permitted the subject application to become abandoned.

Thereafter, an amendment was received. Initially, a report letter was prepared for the amendment, but the amendment was not sent because the application was to become abandoned.

It is the practice of this office to always send to the client correspondence received from the USPTO. Normal procedure would have provided that the German counsel for the applicant receive the Office Action, even though it was believed that the application had become abandoned.

However, in this case, a mistake occurred and the Office Action was not reported.

Counsel for the applicant in the United States has no record of receiving an actual notification of abandonment of the subject application.

During the latter part of October 2005, an exchange of faxes took place in which it was realized for the first time on October 31, 2005, that in fact it was never intended by the applicant to abandon the subject application.

Thereafter, it was necessary to first send to German counsel for the applicant a copy of the Office Action and thereafter it was necessary for German counsel for the applicant to confer with the inventors and give the US counsel for the applicant instructions for responding to the Office Action.

Thereafter, time was necessary in order to prepare the appropriate Amendment, of which a copy is attached hereto.

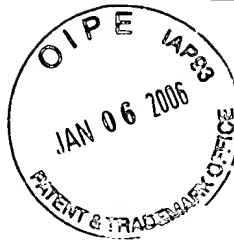
It is requested that the fee be debited to the account of the undersigned,
#19-4675.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael J. Striker', with a long, sweeping horizontal flourish extending to the right.

Michael J. Striker
Attorney for Applicant
Reg. No.: 27233
103 East Neck Road
Huntington, New York 11743

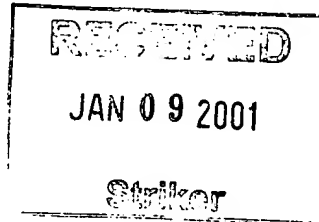
Dr. Beate Frese-Göddeke



Patentanwältin
European Patent Attorney
European Trademark Attorney

Dr. Frese-Göddeke •Hüttenallee 237b •D-47800 Krefeld

Striker, Striker & Stenby
Patent and Trademarks
103 East Neck Road
Huntington
New York 11743
USA



Hüttenallee 237b
D-47800 Krefeld

Tel.: (0 21 51) 50959-0
Fax: (0 21 51) 50959-25

Krefeld, 04.01.01 Mil

US-Anmeldung „Kantenleimung“ (Spinnsprühverfahren)

Unsere Akte: T 98/001 US

Ihr Zeichen: 693

~~Stoehr~~ *Stoehr mann*

Sehr geehrte Damen und Herren,

an einer Weiterverfolgung der Verfahrensansprüche zu oben genannter Anmeldung sind wir nicht interessiert. Eine Teilanmeldung möchten wir daher voraussichtlich nicht einreichen.

Mit freundlichen Grüßen

Frese-Göddeke

Dr. Beate Frese-Göddeke
Patentanwältin

Re: US Application "Applying Size to Edges" (Spinning Spray Method)
Our File No.: T 98/001 US
Your File No.: 693

Dear Sir / Madam:

We are not interested in pursuing the method claims for the above-mentioned application.
We will therefore probably not submit a divisional application.

Sincerely,



December 21, 2005

DECLARATION

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OFFICE OF PETITIONS

The undersigned, Dana Scruggs, having an office at 8902B Otis Avenue, Suite 204B, Indianapolis, Indiana 46216, hereby states that she is well acquainted with both the English and German languages and that the attached is a true translation to the best of her knowledge and ability of the letter (STOEHRMANN).

The undersigned further declares that the above statement is true; and further, that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any patent resulting therefrom.

A handwritten signature in cursive script that reads "Dana Scruggs".

Dana Scruggs